

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
CENTRAL DIVISION**

CYRILL A. KOLOCOTRONIS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 05-4234-CV-C-NKL
	)	
SUSAN WARD, et al.,	)	
	)	
Defendants.	)	

**ORDER**

On February 9, 2006, plaintiff filed a notice of appeal and request for leave to proceed in forma pauperis on appeal. An appeal in forma pauperis, however, may not be taken if the court certifies, in writing, that it is not taken in good faith. 28 U.S.C. § 1915(a)(3). The court finds the appeal is not taken in good faith because plaintiff's claims were properly dismissed for failure to state a claim on which relief may be granted under 42 U.S.C. § 1983, and pursuant to the general order In re Cyrill Athanasios Kolocotronis (W.D. Mo. Aug. 28, 2003).

Although the district court is denying plaintiff leave to proceed in forma pauperis on appeal, plaintiff may still seek to proceed under 28 U.S.C. § 1915, by filing with the appellate court a timely motion under Rule 24(a) of the Federal Rules of Appellate Procedure. Plaintiff also may pursue his appeal as a regular appellant, without the benefit of 28 U.S.C. § 1915, by paying the full \$255.00 appellate filing fee to the clerk of the district court within thirty days. If plaintiff does not file a Rule 24(a) motion or pursue his appeal as a regular appellant, his appeal may be dismissed by the appellate court.

THEREFORE, IT IS ORDERED that plaintiff's appeal is not taken in good faith and plaintiff is denied leave to proceed in forma pauperis on appeal [9].

\_\_\_\_\_  
/s/  
NANETTE K. LAUGHREY  
United States District Judge

Dated: April 23, 2006  
Jefferson City, Missouri